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| DECLARATION FOR UTILITY OR<br>DESIGN<br>PATENT APPLICATION |           |   | Number                         |                   | 54084-62558                   |     |
|--|-----------|---|--------------------------------|-------------------|-------------------------------|-----|
|  |           |   | First Named Inventor           |                   | Scheller                      |     |
|  |           |   | COMPLETE IF KNOWN              |                   |                               |     |
| (37 CFR 1.63)  |           | FR 1.63)  | Application Number             | 10/586,017        |                               |     |
| Declaration<br>Submitted<br>with Initial<br>Filing         | OR E      | Declaration   | Filing Date                    | November 15, 2004 |                               |     |
|  |           | Submitted after Initial<br>Filing (surcharge<br>(37 CFR 1.16(e))<br>required) | Art Unit                       | To be assigned    |                               |     |
|  |           |   | Examiner Name                  | To be assigned    |                               |     |
| I hereby declare   | that:     |   |                                |                   |                               |     |
| Each inventor's r  | esidence, | mailing address, and citizenship  | are as stated below next       | to their r        | name.                         |     |
|  |           | med below to be the original and the invention entitled:                      | d first inventor(s) of the sul | ject mat          | tter which is claimed and for |     |
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(Title of the Invention) the specification of which is attached hereto OR M was filed on (MM/DD/YYYY) November 15, 2004 as United States Application Number or PCT International PCT/US04/ and was amended on (MM/DD/YYYY) (if applicable). Application Number 38176 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Number(s)      | Country | (MM/DD/YYYY) | Not Claimed | YES | NO          |
|----------------|---------|--------------|-------------|-----|-------------|
| PCT/US04/38175 | WO      | 11/15/2004   |             |     | $\boxtimes$ |
| 60/520,277     | US      | 11/13/2003   |             |     |             |

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 3]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual access Any comment on the amount of the polyregate of the polyrega 

## **DECLARATION** — Utility or Design Patent Application

| L  |  |   |           |                                    |          |              |                             |
|--|--|---|-----------|------------------------------------|----------|--------------|-----------------------------|
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| Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (but than a check or credit card untractation form PTO-2038 submitted for payment purposes) is never equired by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, Detitioners/applicants should consider redacting such personal information from the documents before until the total the USPTO. Petitioners/applicant is advised that the record of a patent application is available to the public after publication of the application in clines an on-publication request in compliance with 37 CFR 1213(a) is made in the public after publication of the application and published application or an abandoned application may also be available to the public after application for a patent. Furthermore, the record from an abandoned application may also be available to the public after application from a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.  I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and bellef are believed to be true; and further that these statements were made with the knowledge that wilfulf false statements may looperdize the validity of the application for impresonment, or both, under 18 U.S.C. 1001 and that such wilfulf false statements may looperdize the validity of the application are not provided the record for any or part of the record for any patent issued thereon. |  |   |           |                                    |          |              |                             |
| NAME OF SOLE OR FIRST INVENTOR:  A petition has been filed for this unsigned inventor  |  |   |           |                                    |          |              |                             |
| Given Name (first and middle [if any]) Gregg D.  |  |   |           | Family Name or Surname<br>Scheller |          |              |                             |
| Inventor's Signature Date  |  |   |           |                                    |          |              |                             |
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| Additional inventors or a legal representative are being pareed on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.   |  |   |           |                                    |          |              |                             |